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October 24, 2019

VIA ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 11D
New York, NY 10007
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**Re: Ernestine Grant v. The New York Times Company, et al., No. 16 Civ. 03175
(PKC)(DCF)**

Dear Judge Castel:

We represent the Defendants in this action, The New York Times Company ("The Times"), Mark Thompson, and Meredith Levien. The next case management conference is scheduled to take place on December 4 at 11:15 am.

Since our last update to the Court on September 20, 2019, the parties continued settlement discussions through a private mediator in an effort to come to a resolution. Due to the fact that both the Chief Revenue Officer and the Chief Executive Officer are named defendants in this matter and in light of the size of Plaintiff's settlement demand, it has taken some additional time for The Times to obtain the required approvals to move forward with a counter-offer.

While negotiations were still pending, on October 10, 2019, counsel for Plaintiff served deposition notices on 10 current and former employees of The Times, starting with the Chief Revenue Officer and the Chief Executive Officer on October 30 and 31 respectively, and continuing with depositions noticed for November 1, 6, 7, 8, 11, 12, 13, and 14. On October 21, The Times communicated a counter-offer to the mediator. Counsel for Plaintiff did not submit another proposal and, as a result, the parties have, at least for now, reached an impasse.

In light of the current circumstances, Defendants respectfully request that the Court extend the current fact discovery deadline by 10 weeks to January 31, 2020 so that the parties have adequate time to schedule and complete the requested depositions, most of which are of deponents who no longer work for The Times and so are not within The Times' control. Counsel for Plaintiff does not consent to this request.

We thank Your Honor for the Court's consideration of this request.

Proskauer»

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Respectfully submitted,

/s/ Mark W. Batten

Mark W. Batten

cc: Larissa Boz, Esq.
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